

REMARKS

The Claims in the case are 1-16 and 26, relating to compounds and pharmaceutical compositions. Claims 1 and 16 have been amended in this paper.

Upon review of this application prior to paying the issue fee, it was discovered that in the previous amendment relating to the phrase "~~its N-oxide, salt or its pharmaceutically acceptable salts, stereoisomeric form, racemic mixture, prodrug, ester or metabolite,~~ wherein", the cancellation of the term "stereoisomeric form" was inconsistent with the language and requirement of the rejection on the basis of indefinite (section 112, 2nd paragraph) and non-enabled (section 112, 1st paragraph). In fact, the stereoisomeric form was not rejected or objected to in the office action, and the amendment was unnecessarily broad.

Amendment has been made to Claims 1 and 16 to correct the error. Minor changes to the language of both claims have been made as well for clarification and consistency. No other claims have been amended in this paper.

The amendment is necessary to provide the Applicant with the proper claim scope for protection of the invention and requires no substantial amount of additional work on the part of the PTO.

Please direct any questions regarding the Rule 312 amendment to the undersigned attorney. No fees are believed due with this paper, but should any in fact be required, The Commissioner is hereby authorized to charge any deficiency or credit any overpayments necessitated by this Amendment to Deposit Account No. 10-0750/TIP0042USPCT/AGK/HJP.

Respectfully submitted,

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